

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSEPH JOHN LEONARD,

Petitioner,

Civil No: 07-CV-10836-DT
Honorable Patrick J. Duggan

v.

HUGH WOLFENBARGER,

Respondent.

**OPINION & ORDER DENYING PETITIONER'S
MOTION FOR RECONSIDERATION**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan on December 8, 2008.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT

On February 23, 2007, Petitioner filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. In his application, Petitioner challenges his conviction in the Macomb County Circuit Court of assault with intent to murder, in violation of MICH. COMP. LAWS ANN. § 750.83. Petitioner subsequently filed motions for discovery, an evidentiary hearing, appointment of counsel, and additional time to file objections. On March 25, 2008, this Court issued an opinion and order denying Petitioner's motions. Presently before the Court is Petitioner's motion for reconsideration with respect to the Court's denial of his motions for an evidentiary hearing and for the appointment of counsel.

Eastern District of Michigan Local Rule 7.1(g) provides that a motion for reconsideration only should be granted if the movant demonstrates that the Court and the parties have been misled by a palpable defect and that a different disposition of the case must result from a correction of such a palpable defect. *Id.* A motion brought pursuant to Rule 7.1(g) must be filed no later than 10 days after entry of the judgment or order being challenged. E.D. Mich. LR 7.1(g)(1). Petitioner filed his pending motion for reconsideration well-beyond the time allowed.

Accordingly,

IT IS ORDERED, that Petitioner's Motion for Reconsideration is **DENIED**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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